

EXHIBIT A

Approved, SCAO

Original - Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT 30th Ingham JUDICIAL CIRCUIT COUNTY	SUMMONS	CASE NO. 24- 395 NP HON. WANDA M. STOKES
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Court address

313 W. Kalamazoo St., Lansing, MI 48933

Court telephone no.

(517) 483-6500

Plaintiff's name, address, and telephone no.

 William M. Brehm
 3211 Forest Rd.
 Lansing, MI 48910
 (517) 881-0832

v

Defendant's name, address, and telephone no.

 Apple Inc.
 1 Apple Park Way
 Cupertino, CA
 (408) 996-1010

Plaintiff's attorney, bar no., address, and telephone no.

 Andrew P. Abood (P43366)
 Patrick J. Abood (P86987)
 246 E. Saginaw Street, Ste. One
 East Lansing, MI 48823
 (517) 332-5900 / (517) 332-0700

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

 been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____

 The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside of Michigan).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date MAY 22 2024	Expiration date* AUG 21 2024	Court clerk MAKAILA BOLLEY
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

Summons (3/23)

Case No. 24-395-NP

PROOF OF SERVICE

WANDA M. STOKES

TO PROCESS SERVER: You must serve the summons and complaint and file proof of service with the court clerk before the expiration date on the summons. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE OF SERVICE / NONSERVICE

- ☐ I served ☐ personally ☐ by registered or certified mail, return receipt requested, and delivery restricted to the addressee (copy of return receipt attached) a copy of the summons and the complaint, together with the attachments listed below, on:
- ☐ I have attempted to serve a copy of the summons and complaint, together with the attachments listed below, and have been unable to complete service on:

Name	Date and time of service
Place or address of service	
Attachments (if any)	

- ☐ I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party.
- ☐ I am a legally competent adult who is not a party or an officer of a corporate party. I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Signature

Name (type or print)

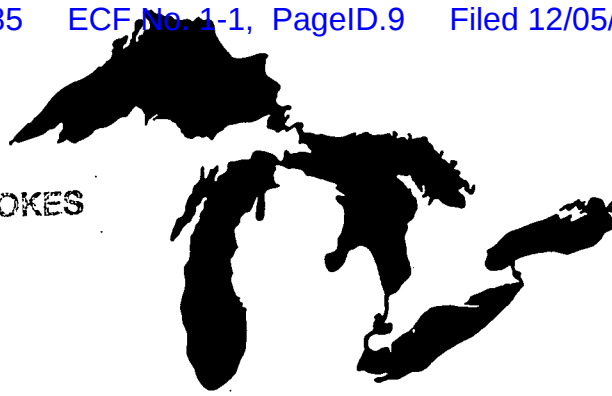
ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of a copy of the summons and complaint, together with

Attachments (if any) on Date and time

Signature on behalf of

Name (type or print)



Hon. **WANDA M. STOKES**
Case No.: 24-~~395~~-NP

30th Circuit Court
Ingham County

WILLIAM M. BREHM
-Plaintiff-

V

APPLE INC.
-Defendant-

Andrew P. Abood (P43366)
Patrick J. Abood (P86987)
Abood Law Firm
Attorneys for Plaintiff
246 E. Saginaw Street, Ste. One
East Lansing, Michigan 48823
(517) 332-5900 / (517) 332-0700
discovery@aboodlaw.com
patrick@aboodlaw.com

There is no other pending or resolved civil action arising out of the transaction or occurrence alleged in the complaint.

COMPLAINT

NOW COMES Plaintiff, WILLIAM M. BREHM, by and through his attorneys, Patrick J. Abood and the ABOOD LAW FIRM, and for his Complaint against Defendant APPLE INC., states the following:

JURISDICTION, VENUE, & THE PARTIES

1. This is a claim for personal injuries arising out of a product defect that occurred in the City of Okemos, County of Ingham, State of Michigan, on February 15, 2024.
2. Jurisdiction rests with this Honorable Court under MCL 600.601 and MCL 600.605.

3. Venue is proper under MCL 600.1629.

4. The amount in controversy herein exceeds Twenty-Five Thousand Dollars (\$25,000.00), exclusive of interest, costs, and attorney fees.

5. Plaintiff, WILLIAM M. BREHM (hereinafter as “Plaintiff”), is an individual and resident of the County of Ingham, State of Michigan.

6. Defendant, APPLE INC. (hereinafter as “Defendant Apple”), is a California Corporation doing business throughout the County of Ingham, State of Michigan.

GENERAL ALLEGATIONS

8. Defendant, at all relevant times, did business within the County of Ingham, State of Michigan.

9. Defendant, at all relevant times, was the manufacturer, marketer, and tester of Beats by Dre headphones.

10. That on February 12, 2024, Plaintiff purchased a new pair of Beats by Dre Beats Studio Buds¹ from BestBuy.

11. On February 15, 2024, Plaintiff was injured in Ingham County when he went to use the Beats by Dre Beats Studio Buds and they combusted in his ear causing injuries.

COUNT I NEGLIGENCE AGAISNT DEFENDANT APPLE INC.

12. Plaintiff hereby incorporates by reference paragraphs 1 though 11 as though fully stated herein.

¹ Serial Number: SHNYLH0NZ0RP3

13. At all relevant times Defendant Apple owed a duty to Plaintiff and to the general public in general to:

- a. Properly manufacture its products;
- b. Properly test its products; and
- c. Ensure that the products it puts into the stream of commerce are safe and free of defects.

14. Defendant Apple breached these duties by committing or omitting the following acts:

- a. Failing to properly manufacture its Beats by Dre Beats Studio Buds;
- b. Failing to properly test its products; and
- c. Putting a dangerous and/or defective product into the stream of commerce.

15. The product was not reasonable safe when it left control of Defendant.

16. As a direct and proximate result of Defendant Apple's negligent actions/inactions in there manufacturing and testing process, Plaintiff sustained severe and significant injuries that include, but are not limited to the following:

- a. Right ear explosive acoustic trauma,
- b. Hypertrophy of tonsils;
- c. Bilateral tinnitus;
- d. Vertigo;
- e. Asymmetrical sensorineural hearing loss;
- f. Nausea;
- g. Vomiting;

- h. Ringing of the ears;
- i. Dizziness;
- j. Inability to wear prescription eyeglasses;
- k. Headaches;
- l. Past, present, and future pain and suffering as a direct and proximate result of the injuries sustained;
- m. Humiliation, fright, insomnia, and anxiety;
- n. Past, present, and future medical treatments;
- o. Past, present, and future wage loss;
- p. Past, present, and future diminishment of his everyday life; and
- q. Other damages, injuries, and consequences that are found to be related to the accident that develop during the course of discovery and during this litigation to the extent that such damages are recoverable under Michigan law.

17. As a result of the aforementioned injuries, William Brehm has suffered permanent serious disfigurement and serious impairments of bodily function as defined by MCL 500.3135.

18. As a direct and proximate result of Defendant Apple's negligent action/inactions, Plaintiff has incurred past, present, and future economic and non-economic damages.

WHEREFORE Plaintiff, William M. Brehm, respectfully requests relief from this Honorable Court in the form of damages in excess of Twenty-Five Thousand Dollars (\$25,000.00), plus interest, costs, and attorney fees, along with any other relief that this Court deems equitable and just.

COUNT II
BREACH OF IMPLIED WARRANTY AGAINST DEFENDANT APPLE

19. Plaintiff hereby incorporates by reference paragraphs 1 through 18 as though fully stated herein.

20. The Beats by Dre Beats Studio Buds were not reasonably fit for the uses or purposes anticipated or reasonably foreseen by Defendant Apple when it left Defendant Apple's control.

21. As a direct and proximate result of Defendant Apple's breach of implied warranty, Plaintiff sustained severe and significant injuries that include, but are not limited to the following:

- a. Right ear explosive acoustic trauma,
- b. Hypertrophy of tonsils;
- c. Bilateral tinnitus;
- d. Vertigo;
- e. Asymmetrical sensorineural hearing loss;
- f. Nausea;
- g. Vomiting;
- h. Ringing of the ears;
- i. Dizziness;
- j. Inability to wear prescription eyeglasses;
- k. Headaches;
- l. Past, present, and future pain and suffering as a direct and proximate result of the injuries sustained;
- m. Humiliation, fright, insomnia, and anxiety;

- n. Past, present, and future medical treatments;
- o. Past, present, and future wage loss;
- p. Past, present, and future diminishment of his everyday life; and
- q. Other damages, injuries, and consequences that are found to be related to the accident that develop during the course of discovery and during this litigation to the extent that such damages are recoverable under Michigan law.

WHEREFORE Plaintiff, William M. Brehm, respectfully requests relief from this Honorable Court in the form of damages in excess of Twenty-Five Thousand Dollars (\$25,000.00), plus interest, costs, and attorney fees, along with any other relief that this Court deems equitable and just.

COUNT III
BREACH OF EXPRESS WARRANTY CLAIM AGAINST DEFENDANT APPLE

22. Plaintiff hereby incorporates by reference paragraphs 1 through 21 as though fully stated herein.

23. Defendant Apple expressly warranted, represented, and stated that its “Beats-branded hardware product (“Product”) is warranted against defects in materials and workmanship for a period of ONE (1) YEAR from the date of original retail purchase.”

24. Plaintiff relied on the representation or statement of express warranty as previously described.

25. As a direct and proximate result of Defendant Apple’s breach of express warranty, Plaintiff sustained severe and significant injuries that include, but are not limited to the following:

- a. Right ear explosive acoustic trauma,

- b. Hypertrophy of tonsils;
- c. Bilateral tinnitus;
- d. Vertigo;
- e. Asymmetrical sensorineural hearing loss;
- f. Nausea;
- g. Vomiting;
- h. Ringing of the ears;
- i. Dizziness;
- j. Inability to wear prescription eyeglasses;
- k. Headaches;
- l. Past, present, and future pain and suffering as a direct and proximate result of the injuries sustained;
- m. Humiliation, fright, insomnia, and anxiety;
- n. Past, present, and future medical treatments;
- o. Past, present, and future wage loss;
- p. Past, present, and future diminishment of his everyday life; and
- q. Other damages, injuries, and consequences that are found to be related to the accident that develop during the course of discovery and during this litigation to the extent that such damages are recoverable under Michigan law.


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WHEREFORE Plaintiff, William M. Brehm, respectfully requests relief from this Honorable Court in the form of damages in excess of Twenty-Five Thousand Dollars (\$25,000.00), plus interest, costs, and attorney fees, along with any other relief that this Court deems equitable and just.

Respectfully submitted,

ABOOD
L A W F I R M 1 9 5 6

Dated: May 22, 2024



Patrick J. Abood (P86987)
Attorney for Plaintiff

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Hon. **WANDA M. STOKES**
Case No.: 24-~~39~~NP

30th Circuit Court
Ingham County

WILLIAM M. BREHM
-Plaintiff-

v

APPLE INC.
-Defendant-

Andrew P. Abood (P43366)
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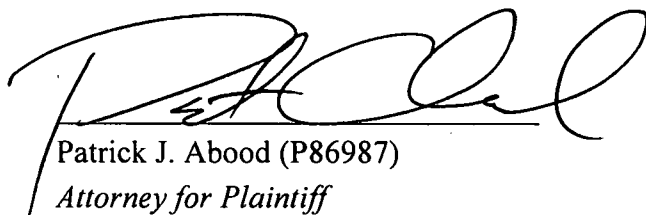
JURY DEMAND

NOW COMES Plaintiff, WILLIAM M. BREHM, by and through his attorneys, Patrick J. Abood and the Abood Law Firm, and hereby demands a trial by jury in the above-captioned case.

Respectfully submitted,

ABOOD
LAW FIRM 1956

Dated: May 22, 2024


Patrick J. Abood (P86987)
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